

**Unapproved Minutes of
REDFIELD CITY COUNCIL**

May 21, 2007
7:00 PM

The City Council met in regular session at City Hall on Monday, May 21, 2007 at 7:00 PM.

MEMBERS PRESENT: Mayor Duane Sanger, Norm Sihrer, Eileen Kearney, Lue Anne Keating, Darrell Ronnfeldt, Kenneth Avery, Larry Eldeen, Richard Gallup, Frank Schwartz, and City Attorney James Hare.

STAFF PRESENT: Shelly Wipf

VISITORS: Dan Appel, Russ McNeely, Janice Heinzerling, Craig Johnson, Shannon Williams, Donna Luckhurst, Sharon Jungwirth, Dale and Connie Fiedler, Elaine Buchholz, Jack and Betty Reynolds, Doug Dangel, Terry & Rita Kissner, William & Jane Newton, Jeannie Anderson, Michelle Schmitt, Robin Flint, Rich Gruenwald, Tom Lesselyoung, and Todd Fenner.

CALL TO ORDER: Mayor Sanger called the meeting to order at 7:00 PM.

ADOPT AGENDA: Motion by Eldeen, seconded by Avery to adopt the agenda as presented. Motion carried.

MINUTES: Motion by Ronnfeldt, seconded by Eldeen to approve the May 7, 2007 minutes. Motion carried.

REPORTS:

FIRE REPORT: Mayor Sanger gave the Fire Report as presented to him. There was a fire on May 6, 2007 at 1:15 PM at 1106 3rd Street West. The fire was caused by an overheated sump pump. Twenty-eight firefighters were on duty for one hour for a total of \$280 and a hose test on May 9, 2007. Twenty-two firefighters were on duty for three hours for a total of \$660. Motion by Gallup, seconded by Schwartz to approve the report for payment and place on file. Motion carried.

HOSPITAL REPORT: Motion by Eldeen, seconded by Avery to accept the Community Memorial Hospital and Clinic Board special minutes dated May 9, 2007, and place on file. Motion carried.

SHERIFF'S OFFICE REPORT: The Sheriff's Office Report and Activity Report was read by Mayor Sanger including the April 2007 Expense and Budget Report. Motion by Gallup, seconded by Sihrer to accept and place the report on file. Motion carried.

SENIOR CITIZENS REPORT: Motion by Eldeen, seconded by Sihrer to accept the May 4, 2007 minutes and place on file. Motion carried.

DEPOT REPORT : Motion by Gallup, seconded by Sihrer to accept the Depot update as given by Kathy Maddox and place on file. Motion carried.

VISITORS:

Craig Johnson - Reported that The Redfield Corporation has discussed the clean up program and has no objections to turning the program over to Code Enforcement. A discussion was held on setting up guidelines for the clean up program. Johnson requested on behalf of the Redfield Corp. that the City assist in the removal of the house at 1312 1st Street East, and for the City's assistance in hauling tree stumps away from the rail road grade behind Animal Health Center and Country Classics.

Enter: Todd Fenner 7:20 pm

Fire Chief Rich Gruenwald reported that the new fire truck is tentatively scheduled to be delivered in July. Gruenwald also requested permission to send eight firefighters to Fire school since it will be held at Fort Pierre in 2007. This is a larger number due to the location of school and newer firefighters that need to attend. Motion by Gallup and seconded by Sihrer to send eight fire fighters to the 2007 Fire School. Motion carried.

Dan Appel – Appel addressed the Council regarding his variance application for the new sign at 23 West 7th Avenue. Appel suggested that the City ordinances be reviewed regarding signs.

Exit: Appel @ 7:25 pm

Lakeside Addition Homeowners – On behalf of the Lakeside Addition homeowners, Dale Fiedler presented concerns regarding the sewerage back up which took place during the storm on May 5th & 6th. Tom Lesselyoung, City Water & Sewer Superintendent, and Todd Fenner, Northwestern Energy representative, explained what took place during the storm. Lesselyoung showed the Council and homeowners two backflow prevention valves (4 inch Back Water Valve - cost \$42.00 and a 4 inch Knife Valve - cost \$86.87) that an owner could have a contractor install on their sewer line coming into the building. The homeowners expressed their feelings regarding the quality of treatment received from the City's insurance adjuster and the denial letters received. The delegation inquired weather or not the new SW Development Project would have its own lift station, or if the current Lakeside lift station would service this area. A separate lift station is planned for the new development. Another concern of the homeowners was the storm water drainage. Mayor Sanger will have the city engineer look at this area.

Exit: homeowners & Fenner 8:05 pm

PUBLIC HEARINGS:

2007-08 Malt Beverage License Renewals - Mayor Sanger opened the public hearing on the application for the 2007-2008 malt beverage license renewals in the City of Redfield at 8:05 pm. There being no one present to testify at the hearing and no written comments received, the hearing was declared closed at 8:08 pm. Motion by Eldeen, seconded by Schwartz to approve the renewals. Motion carried.

Variance Application: 23 West 7th Avenue – Mayor Sanger opened the public hearing on the variance application at 23 West 7th Avenue at 8:08 PM. Dan Appel addressed the council earlier in the meeting. The hearing was declared closed at 8:10 PM. Motion by Schwartz, seconded by Eldeen to approve the variance. Motion carried.

Variance Application: 1326 1st Street East – Mayor Sanger opened the public hearing on the variance application at 1326 1st Street East at 8:12 PM. No one was present to testify at the hearing. The hearing was declared closed at 8:14 PM. Motion by Ronnfeldt, seconded by Sihrer to approve the variance based on the zoning board’s recommendation. Motion carried.

OLD BUSINESS:

Notice of Abatements Served – Discussion was held on having the clean up program administered through the Code Enforcement office instead of through the Redfield Corporation. This would streamline and speed up the process. City Attorney Hare was instructed to draw up the necessary resolution for next council meeting.

Variance Application 1102 3rd Street West – Motion by Gallup, seconded by Schwartz to bring the variance application for 1102 3rd Street West off the table for discussion. Motion carried. Sihrer reported that he had looked at the property. Sihrer is not sure there is enough room to put the carport behind the house to the west. The owner wants the carport as close as possible to the handicapped ramp. The Council reviewed the lot and measurements looking for any possible position that the carport could be placed on the property with out resting on any City or State right of ways. Motion by Gallup, seconded by Kearny to deny the variance as the carport cannot sit on the City’s right of way. Motion carried.

NEW BUSINESS:

Code Enforcement Agreements – Two Code Enforcement agreements were received from the City of Ashton and the City of Doland. Motion by Gallup, seconded by Sihrer to enter into agreements with Doland and Ashton. Motion carried.

House Demolition and Clean-Up - Motion by Ronnfeldt, seconded by Sihrer to have the City assist in the removal of the house at 1312 1st Street East and to assist in hauling away tree stumps behind Animal Health Center and Country Classics. Motion carried.

Set a Public Hearing Date for June 18, 2007 for a Special Exception Application (117 W. 13th Ave.) – Motion by Sihrer, seconded by Eldeen to set a public hearing date for June 18, 2007 for a special exception request for the property at 117 West 13th Avenue. Motion carried.

Airport Gas Pumps - Ronnfeldt reported on the problems with the airport fuel pump and recommends that the pump and digital reader be replaced. Motion by Ronnfeldt, seconded by Sihrer to replace the airport gas pump and digital reader at an estimated cost of \$3400 from Dockendorf Equipment. Motion carried.

ORDINANCES AND RESOLUTIONS:

Mayor Sanger gave the Second Reading of Ordinance No. 06-2007 (Rezone Mobile Home District to Residential).

**ORDINANCE NO: 06-2007
Re-Zone Mobile Home District to Residential District**

WHEREAS, the City of Redfield desires to establish rezoning for the following real estate:
Blocks Eight (8) and Nine (9), Packard’s Second Addition to the City of Redfield, Spink County, South Dakota.

Said real estate is hereby rezoned from Mobile Home District to Residential District, as defined in Chapter 17.28 of the Redfield City Municipal Code.

Dated this 21st day of May, 2007

DUANE SANGER, MAYOR

ATTEST:

ADAM L. HANSEN, FINANCE OFFICER

Motion by Sihrer, seconded by Schwartz to adopt Ordinance No. 06-2007. Motion carried on a roll call vote with all members voting "Yes."

Mayor Sanger gave the Second Reading of Ordinance No. 07-2007 (Dogs).

ORDINANCE NO: 07-2007
Failure to License Dogs

6.08.045 FAILURE TO LICENSE DOGS

If any person keeps a dog within city limits and fails to license the dog as required by Redfield City Ordinance 6.08.005 shall be deemed in violation of the city ordinance and subject to a fine of fifty dollars.

Dated this 21st day of May, 2007.

DUANE SANGER, MAYOR

ATTEST:

ADAM L. HANSEN, FINANCE OFFICER

Motion by Gallup, seconded by Schwartz to adopt Ordinance No. 07-2007. Motion carried on a roll call vote with all members voting "Yes."

Mayor Sanger gave the Second Reading of Ordinance No. 08-2007 (Penalties).

ORDINANCE NO: 08-2007
Penalties

1.16.010 GENERAL PENALTY

Except in cases where a different penalty is imposed by this code or by some existing provision of law, every violation of any of the provisions of this code shall be punishable by imprisonment in the city jail not to exceed thirty days or by fine not exceeding two hundred dollars, or by both such fine and imprisonment.

1.16.015 CIVIL PENALTY

The term civil penalty is defined in Chapter 8.06.010 of the Redfield Municipal Code. Civil penalties may be imposed by this code or by some other existing provision of law. Civil penalties may be imposed in addition to any general penalty.

1.16.020 COLLECTION OF PENALTY

Unless specified otherwise on a uniform ticket, summons, complaint, or judgment, all fines, general penalties, and civil penalties due and owing the City of Redfield shall be paid at the office of the Redfield City Attorney located at 701 Main Street, Redfield, South Dakota.

Dated this 21st day of May, 2007

ATTEST:

ADAM L. HANSEN, FINANCE OFFICER

Motion by Ronnfeldt, seconded by Kearney to adopt Ordinance No. 08-2007. Motion carried on a roll call vote with all members voting "Yes."

INFORMATION AND DISCUSSION ITEMS:

Mayor Sanger read a thank you from Senior Citizens' Center for the clean-up help after the storm.

At the May 9, 2007 CMH Special Board Meeting, CEO Terry DeJong presented lease/purchase agreements for endoscopic equipment from Pentax Medical Company and Universal Hospital Services. The Pentax Medical Company option/agreements were for 36 months - \$1,885.99, 48 months-\$1,470.96 and 60 months-\$1,223.05. The Universal Hospital Services option/ agreements were for 36 months-\$2,064.51 and 60 months-\$1,333.48. After a lengthy discussion, Monte Mason made a motion to approve the Pentax Medical Company lease/purchase agreement for 48 months for the amount of \$1,470.96, seconded by Darrell Ronnfeldt. Motion carried.

Motion by Ronnfeldt, seconded by Schwartz to approve the lease purchase agreement from Pentax Medical Company for endoscopic equipment at a total cost of \$59,176.75 to be paid over 48 payments of \$1470.96 as approved by the Hospital Board. Motion carried

Mayor Sanger reported that an individual has inquired about purchasing a lot at 1011 Main Street which is currently owned by the City. The interested party is to make an official request by attending the next council meeting.

Mayor Sanger also reported that the Library roof is leaking and Grote Roofing has been contacted.

To date, eight pine trees have been purchased from Tim Osborn at \$100 each and moved to the Gardner Memorial and other sites throughout the city.

COUNCIL MEMBER REPORTS:

Schwartz had questions regarding fence set backs and heights.

Gallup reported that there were a number of visitors to the Depot this weekend before and after the National C&NW Historical Society meeting in Huron on May 17-18th.

Kearney reported that the cemetery is looking nice and people are starting to put flowers out.

Sihrer asked for a decision to be made regarding the City Hall basement which had water damage due the storm. The Park and Recreation Dept. removed all the equipment and uniforms from the basement. The Council's consensus was to keep spraying the basement for mold and not to remove the carpeting or paneling as the condition of the floors and walls are unknown.

Sihrer has been approached by a group who would like to install a roof over the bleachers at the Centennial ball park. The group will compile the necessary information and present it to the Council.

Ronnfeldt asked questions regarding the back flow prevention valves.

Eldeen requested that the city engineer should look at the storm drainage on the 1400-block of Main Street.

Avery inquired about the status of mosquito spraying. Spraying will be done on Tuesdays and Thursdays starting at 8:00 pm weather permitting.

PAY CLAIMS:

City Prepaid	\$17,083.91
City Unpaid	\$55,757.31
Hospital & Clinic Prepaid	\$122,163.39
Hospital & Clinic Unpaid	\$103,768.27
Additional Claims:	

Motion by Schwartz, seconded by Eldeen to pay the above claims with the correction on Wiedmeier Home Inspections from \$190.08 to \$180. Motion carried on a roll call vote with all members voting "Yes."

There being no further business, meeting was adjourned at 9:20 PM.

Duane Sanger
Mayor

Shelly Wipf
Assistant Finance Officer

Recorder: Shelly Wipf